

Attorney's Docket No.: ENZ-57(CIP)

DECLARATION FOR PATENT APPLICATION

As a below named inventor, I hereby declare that:

My residence, post office address and citizenship are as stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is claimed and for which a patent is sought on the invention entitled:

**BIOLOGICAL MODELS CAPABLE OF EXHIBITING SECONDARY
DISEASE MANIFESTATIONS AND USEFUL FOR DEVELOPING
THERAPEUTIC DRUGS, DIAGNOSTIC PRODUCTS AND THERAPEUTIC
OR DIAGNOSTIC PROCEDURES, METHODS OF USING SAME, AND CELLS,
TISSUES AND ORGANS DERIVED THEREFROM**

the specification of which

(check one) _____ is attached hereto.

X was filed on July 16, 1999, as U.S. Patent Application Serial No. 09/356,293

_____ and was amended on _____, 1995 (if applicable).

I hereby state that I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37 Code of Federal Regulations, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed:

Prior Foreign Application(s)

Priority Claimed

_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)	Yes	No
_____ (Number)	_____ (Country)	_____ (Day/Month/Year Filed)	Yes	No

I hereby claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §156(a) which occurred between the filing date of the prior application and the national or PCT international filing date of the application:

_____ (Application Serial No.)	_____ (Filing Date)	_____ (Status-patented, pending, abandoned)
_____ (Application Serial No.)	_____ (Filing Date)	_____ (Status-patented, pending, abandoned)

ENZ-57(CIP)

Jennifer June Brown, Elazar Rabbani, James J. Donegan and Jayanta Roy-Chowdhury
Serial No.: 097356,293
Filed: July 16, 1999
Page 2 (Declaration for Patent Application)

I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and to transact all business in the Patent and Trademark Office connected therewith:

Ronald C. Fedus, Esq., Reg. No. 32,567

Address all telephone calls to :
Address all correspondence to:

Ronald C. Fedus, Esq. at telephone no. (212) 583-0100
Ronald C. Fedus, Esq., Corporation & Patent Counsel
Enzo Therapeutics, Inc.
c/o Enzo Biochem, Inc.
527 Madison Avenue - 9th Floor
New York, New York 10022

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true, and further that these statements were made with the knowledge that wilful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such wilful false statements may jeopardize the validity of the application or any patent issued thereon.

First name of sole or first inventor: Jennifer June Brown
First Inventor's signature: Jennifer June Brown Date Nov 30, 1999
Residence: 2013 Paulding Avenue, Bronx, New York 10462 Citizenship: United States
Post Office Address (Same as above): _____

First name second inventor: Elazar Rabbani
Second Inventor's signature: Elazar Rabbani Date Nov 11 1999
Residence: 69 Fifth Avenue (No. 19A) New York, New York 10003 Citizenship: United States
Post Office Address (Same as above): _____

First name third inventor: James J. Donegan
Third Inventor's signature: James J. Donegan Date 11/11/99
Residence: 210 East Broadway (No. 3G), Long Beach, New York 11561 Citizenship: United States
Post Office Address (Same as above): _____

First name fourth inventor: Jayanta Roy-Chowdhury
Fourth Inventor's signature: Jayanta Roy Chowdhury Date Nov 30, 1999
Residence: 139 Woodhollow Lane, New Rochelle, New York 10894 Citizenship: United States
Post Office Address (Same as above): _____

* * * * *

\\USPROS\ENZ57CIP\E57CIPDEC.110999

ENZ-57(CIP)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

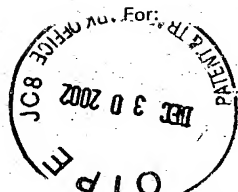
Applicant(s): Jennifer June Brown, Elazar Rabbani, James, J. Donegan, and Jayanta Roy-Chowdhury

Serial No.: 09/356,293

Group Art Unit: 1632

Filed: July 16, 1999

Examiner: Not Yet Known



**BIOLOGICAL MODELS CAPABLE OF EXHIBITING SECONDARY DISEASE
MANIFESTATIONS AND USE FOR DEVELOPING THERAPEUTIC DRUGS,
DIAGNOSTIC PRODUCTS AND THERAPEUTIC OR DIAGNOSTIC
PROCEDURES, METHODS OF USING SAME, AND CELLS, TISSUES
AND ORGANS DERIVED THEREFROM**

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY
STATUS (37 CFR 1.9(f) AND 1.27(c)) - SMALL BUSINESS CONCERN**

I hereby declare that I am

- ☐ the owner of the small business concern identified below;
☒ an official of the small business concern empowered to act on behalf of the concern identified below:

NAME OF CONCERN ENZO THERAPEUTICS, INC.
 ADDRESS OF CONCERN c/o Enzo Biochem, Inc.
 527 Madison Avenue (9th Floor)
 New York, New York 10022

I hereby declare that the above identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under section 41(a) and (b) of rule 35, United States Code, in that the number of employees of the concern, including those of its affiliates does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and 920 concerns are affiliates of each other when either, directly or indirectly, one concern controls or has power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention entitled:

**BIOLOGICAL MODELS CAPABLE OF EXHIBITING SECONDARY DISEASE MANIFESTATIONS AND USEFUL
FOR DEVELOPING THERAPEUTIC DRUGS, DIAGNOSTIC PRODUCTS AND THERAPEUTIC OR DIAGNOSTIC
PROCEDURES, METHODS OF USING SAME, AND CELLS, TISSUES AND ORGANS DERIVED THEREFROM**

by inventor(s):

JENNIFER JUNE BROWN, ELAZAR RABBANI, JAMES J. DONEGAN AND JAYANTA ROY-CHOWDHURY

described in

- ☐ the specification filed herewith
☒ application Serial No. 09/356,293
☐ Patent No. _____, issued _____

If the rights held by the above identified small business concern are not exclusive, each individual, concern or organization having rights to the invention is listed below* and no rights to the invention are held by any person other than the inventor, who could not qualify as a small business concern under 37 CFR 1.9(d) or by any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(e).

*NOTE: Separate verified statements are required from each named person, concern or organization having rights to the invention averring to their status as small entities. (37 CFR 1.27).

NAME _____

ADDRESS _____

() Individual () Small Business Concern () Nonprofit

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest issue fee or any maintenance fee due after the date on which status as a small business entity is no longer appropriate. (37 CFR 1.28(b)).

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of Title 18 of the United States Code, and that such willful false statement may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this verified statement is directed.

NAME OF PERSON SIGNING
 TITLE OF PERSON OTHER THAN OWNER
 ADDRESS OF PERSON SIGNING

RONALD C. FEDUS, ESQ.
CORPORATION AND PATENT COUNSEL
ENZO THERAPEUTICS, INC.
c/o ENZO BIOCHEM, INC.
527 MADISON AVENUE (9TH FLOOR)
NEW YORK, NEW YORK 10022

SIGNATURE: _____

DATE: December 2, 1999

ENZ-57(CIP)